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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,155	07/16/2003	Marvin I. Fredberg	RAY-133J	1204
7590	05/17/2005		EXAMINER	
landiorio & Teska 260 Bear Hill Road Waltham, MA 02451-1018			WIMER, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2828	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/621,155

Applicant(s)

FREDBERG ET AL.

Examiner

Michael C. Wimer

Art Unit

2828

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 May 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a) The period for reply expires _____ months from the mailing date of the final rejection.
 b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) They raise the issue of new matter (see NOTE below);
 (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. Applicant's reply has overcome the following rejection(s): _____.
 6. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
 13. Other: _____.



Michael C. Wimer
Primary Examiner
Art Unit: 2828

Continuation of 11. does NOT place the application in condition for allowance because: Applicant states that Greene does not teach or suggest fibers in the radome skin. Greene is cited as teaching the basic multilayered radome construction as a general representation of the antenna radome art. Greene sets forth the prior art in Figures 1 and 2, and discusses the problems of prior art radomes in column 1, lines 33-57, and clearly suggests to the antenna artisan in lines 51-57, that selection of alternate materials must be performed while maintaining electrical performance and dielectric strength. Those two reasons are precisely why the skilled artisan would look to Coffy. Greene chooses materials and construction as set forth in Figures 3-5 and Table II. However, the objective in both patents is the same: the manufacture of radomes used in space/aeronautical/avionics, and where the radome must be transparent to electromagnetic waves and have aerodynamic properties. Greene describes the prior art as having quartz fibers/woven cloth laminated upon epoxy reinforced honeycomb materials/thermoplastic (i.e., thermoformed, via pressure and temperature or via molding). Green also teaches polyarylate material. The teachings of the references are not diametrically opposite as alleged by applicant. The patent to Coffy employs VECTRAN (registered trademark), which is a polyester and contains polyarylate fibers and called LCP's. Such a composite is ideal for the multi-layered type of radome set forth by Greene, particularly since Coffy clearly admits that the composite material has remarkable transparency to EM waves. Such a quality is essential in the radome art. The other two qualities cited by Coffy, excellent fire resistance and thermal isolation, are ideal for radomes used in space. The motivation to combine lies in Coffy, citing the EM properties essential to radomes. As pointed out by applicant in the REMARKS, Coffy specifically mentions that the advantage in using LCP's is that they may be exposed to microwaves without decomposing, and the reason that they are transparent to EM waves is to provide a radome (i.e., a radar-dome used in the microwave bands). Since sufficient evidence exists to employ the Coffy materials in radome construction, such as set forth in Greene, then the motivation to combine the references has been clearly set forth. The final Office action rejection stands.